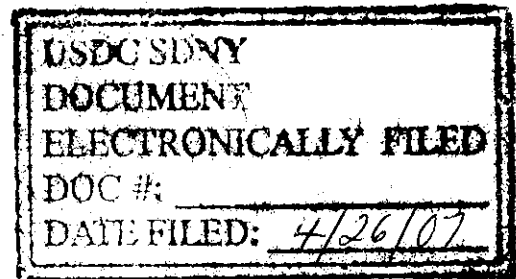


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- x  
DAVID PODHASKIE,

Plaintiff,

-against-

CITY OF NEW YORK & NEW YORK CITY  
POLICE DEPARTMENT,

Defendants.  
----- x

07 Civ. 0409 (SHS) (AJP)

**ORDER OF DISMISSAL ON CONSENT**

**ANDREW J. PECK, United States Magistrate Judge:**

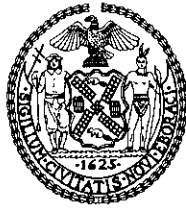
Plaintiff having previously settled with the MTA defendants, and the parties having informed the Court that plaintiff has now reached a settlement agreement in principle with the remaining defendants, the City of New York and the New York City Police Department, and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs. The Clerk of court shall close the case as against all defendants.

SO ORDERED.

DATED: New York, New York  
April 26, 2007

  
\_\_\_\_\_  
Andrew J. Peck  
United States Magistrate Judge

Copies **by fax & ECF** to: Jason A. Steinberger, Esq.  
Suzette C. Rivera, Esq.  
Paul A. Krez, Esq.  
Judge Sidney H. Stein



**MICHAEL A. CARDOZO**  
*Corporation Counsel*

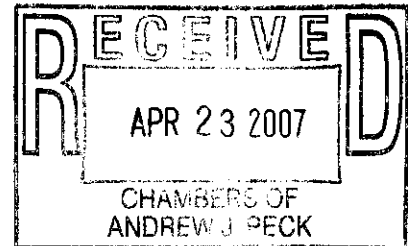
**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

**SUZETTE CORINNE RIVERA**  
*Assistant Corporation Counsel*  
Phone: (212) 788-9567  
Fax: (212) 788-9776  
srivera@law.nyc.gov

April 19, 2007

BY HAND

Honorable Andrew J. Peck  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Room 1370  
New York, NY 10007



Re: David Podhaskie v. The City of New York et al., 07CV 409 (SHS) (AJP)

Dear Judge Peck:

On behalf of defendant City of New York and plaintiff, I respectfully write to advise the Court that plaintiff has agreed to dismiss this action, with prejudice, as against defendant's City of New York and the New York City Police Department. I will promptly forward the original executed Stipulation of Dismissal to the Court upon receipt from plaintiff's counsel.

Respectfully submitted,

Suzette Corinne Rivera (SR 4272)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: BY FAX  
Jason Steinberger, Esq.  
Attorney for Plaintiff

(718) 993-1542

Paul Krez, Esq.  
Attorney for MTA, MTAPD and Detective Urena  
(212) 766-9035